

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

IN RE THE MATTER OF COMPLIANCE)
WITH OSHA STANDARDS FOR BLOODBORNE) ADMINISTRATIVE
ORDER
PATHOGENS AND HAZARDOUS MATERIALS) NO. 95-024
_____)

The Judicial Branch, including Superior Court, the Clerk of the Court, Juvenile Court, Justice Courts and the Adult Probation Department, are mandated to comply with OSHA's Hazard Communication Standard, codified as 29 CFR 1910 and the Bloodborne Pathogens Standard, codified as subsection 1910.1030.

Compliance includes mandatory training, implementation and enforcement of safety measures with constant monitoring by the Judicial Branch. Absolute compliance is essential to ensure the safe work practices of all members of the Judicial Branch which in turn will eliminate potential exposure of staff and the public to health risks.

IT IS ORDERED that Superior Court, the Clerk of the Court, Juvenile Court, Justice Courts and the Adult Probation Department are delegated the responsibility to establish a training, enforcement and monitoring system to fully comply with these OSHA standards. In establishing such a system, the policy of the Judicial Branch with regards to Bloodborne Pathogens and Hazardous Materials is identified below to assist in the development of specific departmental procedures.

PACKAGING OF EXHIBITS:

Arresting agencies and counsel will submit biological or potentially hazardous materials of a chemical nature sealed in see-through, tamperproof, leakproof packaging

in accordance with OSHA standards.

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Biological items will be labeled in accordance with OSHA standards.

Court Clerks will accept only those sharp, biological sensitive or potentially hazardous items which have been contained in the prescribed protective packaging.

Court Clerks will not remove the contents from any of the above-listed packaging and will be held accountable only for what the item is "purported" to be.

UNSEALING OF PACKAGED EXHIBITS:

Only upon order of the Court may biological or potentially hazardous materials be removed from sealed packaging. In the event an item is removed from the sealed packaging, counsel must be prepared to properly reseal item in accordance with OSHA packaging standards.

EXHIBITS:

The admission of exhibits is at the discretion of the Court and is governed by Rules of Court. However, absent a court order to the contrary, exhibits of biological or potentially hazardous in nature will be packaged, labeled and handled in accordance with OSHA standards.

EDUCATION/TRAINING:

The Judicial Branch shall develop a comprehensive

training program for court employees regarding
handling biological or potentially hazardous
materials.

Annual training of court employees is mandatory.

All new court employees, as well as employees
changing jobs or job functions will receive
appropriate training
for their new job assignment.

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DEFINITIONS:

Biological or potentially hazardous materials
include:

!Bloodborne pathogens, which means pathogenic micro-
organisms that are present in human blood and can
cause
not
immuno-
disease in humans. These pathogens include, but are
limited to, hepatitis B virus (HBV) and human
deficiency virus (HIV)

!Potentially infectious materials such as semen,
saliva
and other body fluids.

!Chemicals, flammable materials and radioactive
materials.

Done on March 2, 1995.

C. Kimball Rose, Presiding Judge

Maricopa County

Original filed with the Clerk of the Court

CC: Chief Justice Stanley G. Feldman
All Court Department Heads
All Judges and Commissioners
David Byers, Administrative Director, AOC
Tom Rawles, Chair, Board of Supervisors
David R. Smith, County Administrative Officer
Grant Woods, Attorney General
Richard Romley, County Attorney
Dean W. Trebesch, Public Defender